

FILED
U.S. DISTRICT COURT

2011 JUN 16 A 11:28

DISTRICT OF UTAH

BY: _____
DEPUTY CLERK

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Attorneys for Defendant Thomas Jefferson School of Law

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

JESSE ANNE MAJORS,

Plaintiff,

v.

THOMAS JEFFERSON SCHOOL OF LAW, a
California nonprofit public benefit corporation,
RUDY HASL, JEFFREY JOSEPH, BETH
KRANSBERGER, ERIC MITNICK, JULIE
GARRETT, CLAIRE WRIGHT, JOY
DELMAN, JULIE CROMER-YOUNG,
ARNOLD ROSENBERG, JANE
LARRINGTON, PATRICK MEYER, LISA
FERREIRA, ANGELA BAYNE, JAN DAUSS,
LISA CHIGOS, CATHERINE DEAN, AND
ALL MEMBERS OF THE ETHICS
COMMITTEE OF THOMAS JEFFERSON
SCHOOL OF LAW 2006-2011,

Defendants,

NOTICE OF REMOVAL

Case: 2:11cv00558
Assigned To : Waddoups, Clark
Assign. Date : 6/16/2011
Description: Majors v. Thomas
Jefferson School of Law et al

Pursuant to 28 U.S.C. §§ 1441(A) AND 1446 Defendant Thomas Jefferson School of Law hereby provides notice of its removal of this action from the Utah Third Judicial District Court to the United States District Court for the District of Utah, Central Division. In so doing said Defendant states as follows:

BACKGROUND AND FOUNDATION FOR REMOVAL

1. On or about May 12, 2011 Plaintiff filed an action with the Utah Third District Court as reflected in her complaint attached hereto as part of Exhibit One. Thomas Jefferson School of Law was served with a summons and the complaint on May 25, 2011. On June 3, 2011 Plaintiff amended her complaint as shown in Exhibit One.

2. True and correct copies of the documents served on Defendant Thomas Jefferson School of Law and the contents of the state court file are attached as Exhibit One.

3. Venue is proper in this court because the Plaintiff resides in Salt Lake County, State of Utah.

DIVERSITY

4. There is complete diversity between parties because Plaintiff is a resident of Salt Lake County, State of Utah, Defendant Thomas Jefferson School of Law is a California nonprofit public benefit corporation, and all individual Defendants are residents of the State of California.

AMOUNT IN CONTROVERSY

5. The Plaintiff alleges damages of \$200,000,000 in both her complaint and her amended complaint which exceeds the amount required for diversity jurisdiction.

FEDERAL QUESTION

6. Though not clearly stated Plaintiff's complaint implies various federal question causes of action including religious, gender and age discrimination as well as violations of her constitutional rights. See paragraph two of the Plaintiff's amended complaint.

TIMELY REMOVAL

7. This matter has been removed timely. 28 U.S.C. §1446(b) requires removal within thirty days of receipt by the Defendant of the initial pleading. The United State Supreme Court has held that the removal time runs from the formal service of a summons and complaint on the Defendant. *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 334, 348 (1999).

MISCELLANEOUS

8. This matter is removed by Defendant Thomas Jefferson School of Law.

9. No other Defendants have been served but they need not join in removal. Unserved Defendants not required to join in removal. *Adams v. Lederle Labs.*, 569 F. Supp. 234, 243 (W.D. Mo. 1983); 16-107 Moore's Federal Practice - Civil § 107.30 n. 95

DATED this 16 day of June, 2011.



ROBERT H. WILDE

Attorney for Defendant Thomas Jefferson School of Law

EXHIBIT

1 All pleadings served on Defendant Thomas Jefferson School of Law and all documents filed with the state court.

Delivery Certificate

I hereby certify that I caused a true and correct copy of the foregoing Notice of Removal to be served by the method(s) indicated below and addressed to the following on this 16 day of

July, 2011.

Jesse Anne Majors
6649 South 5500 West
West Jordan, Utah 84081

Delivered:

- ☒ U.S. Mail, Postage Prepaid
- ☐ Hand Delivered
- ☐ Overnight Mail
- ☐ Facsimile
- ☐ E-mail
- ☐ CM/ECF Posting

